

Don -

I have talked to

Allen T. on this - would

you please see me

Permanent DJ
Change will be submitted
Handled by D. J.
W.C.M.

From the desk of
GERALD W STOKER
Area Engineer
Office of State Engineer

Date Dec. 14, 1966

P. O. Box 347
Cedar City, Utah
87420

Donald C. Norseth

Dear Don:

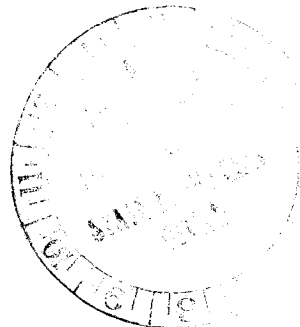
Beaver River Cont.

It has been suggested that the 2,000 ac.ft. right that has been bought by the Fish and Game from Rocky Ford be processed by Change Application.

Maybe you could call in Mr. Tibbals and have this taken care of.

Thank you.

Gerald





THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

HUBERT C. LAMBERT
STATE ENGINEER

October 31, 1966

Mr. Gerald W. Stoker
P. O. Box 347
Cedar City, Utah 84720

Dear Gerald:

Sometime ago, I discussed with you purchase by the Fish and Game of 2000 acre-feet of storage from Rocky Ford Irrigation Co. We were undecided at that time as to what type of filing would be proper and ensure title. As I recall you were going to have Joe and Lee work up something along with the adjudication work they are doing in this area.

I am enclosing copy of a letter from Mr. Allen Tibbals for your information as the company is quite anxious to settle this matter.

Will you let me know what you have decided and if we can get the proper filing made soon.

Yours very truly,

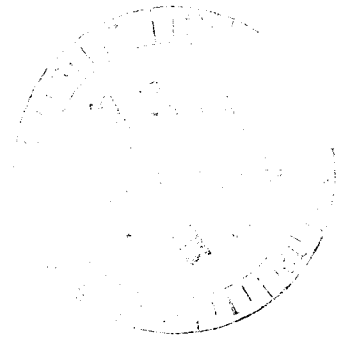
Donald C. Norseth
DIRECTING HYDROLOGIC ENGINEER

DCN/wh
Enclosure
cc: Mr. Allen H. Tibbals

*and copy of
now amended claim
the Udy.*

BOYDEN, TIBBALS & STATEN
LAW OFFICES
SUITE 604 EL PASO NATURAL GAS BUILDING
315 EAST SECOND SOUTH STREET
SALT LAKE CITY, UTAH 84111

JOHN S. BOYDEN
ALLEN H. TIBBALS
EARL P. STATEN
DON A. STRINGHAM
GEORGE J. ROMNEY



October 17, 1966

Mr. Don Norseth, Distribution Engineer
Office of the State Engineer
State Capitol Building
Salt Lake City, Utah

Re: Beaver River

Dear Mr. Norseth:

You will recall my conversation with you a few weeks ago relative to the filing of a necessary change application to the Rocky Ford Irrigation Company water filings to cover the maintenance of the 2,000 acre feet of storage sold by Rocky Ford Irrigation Company to the State Fish and Game Commission. This change application is, of course, necessary for us to consummate and protect the contract rights of the Fish and Game Department. At the time I discussed the matter with you, you were uncertain as to what type of an application we should make, it being understood and agreed that probably all that was required would be a change to show that the annual loss by seepage and evaporation could be recovered to maintain the 2,000 acre feet of storage and you were going to confer with Lee Strong and your representative in Cedar City and have them come up with a suggested figure so we could prepare the necessary change application.

I have heard nothing further from you in this regard. In order that it is not overlooked and particularly in view of the fact that we will be required to obtain the recognition of the State Engineer to comply with our contract with the State Fish and Game and qualify for the final payment, I am again bringing this to your attention and will appreciate your advice as to what you desire us to do.

Thank you for your cooperation.

Very truly yours,

Allen H. Tibbals
ALLEN H. TIBBALS

AHT:BG
CC: Mr. Gillins

the State of UTAH department of

fish and game

DIRECTOR



1596 WEST NORTH TEMPLE • SALT LAKE CITY, UTAH 84116 • 363-7614

GOVERNOR
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COMMISSIONERS
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LEWIS C. SMITH
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LAMAR A. DASTRUP
DR. PAUL G. STRINGHAM

December 2, 1966

Mr. Gerald W. Stoker
Cedar City Area Office
162 North Main
Post Office Box 347
Cedar City, Utah

Dear Mr. Stoker:

As discussed with personnel of your office on December 1, 1966, enclosed are copies of agreements and a deed that may clarify water rights at Minersville Reservoir and the Beaver Fish Hatchery.

1. Two (2) copies of an agreement between the Rocky Ford Irrigation Company and the Department concerning the fish culture pool in the Minersville Reservoir.

One (1) copy you may send to Mr. Strong, Beaver River Water Commission.

2. A warranty deed between the Department and Cyrus Davis which transfers a Certificate of Appropriation #2150 on the South Adobe Yard Slough at the Beaver Hatchery. This transfer took place in 1935. For several years prior to that date the Department leased the fish culture station from Mr. Davis.
3. One (1) copy of a lease agreement between William M. Low and the Department for water from the North Adobe Yard Slough. This lease agreement is dated 1922.
4. One (1) copy of a lease agreement between Homer D. Thompson, Julia A. Howd, Isabell Denny, William M. Low and the Department concerning a land easement for the water conveying works of the Beaver Hatchery.




MR. GERALD W. STOKER
December 2, 1966
Page Two

If you have any further questions or desire information, please feel free to contact us.

Very truly yours,

John E. Phelps, Director


Jay R. Udy, Chief
Field Services Division

JRU/ru
Enclosures

